

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

STARLENA FLEMING,

Plaintiff,

v.

M. PALLARES, et al.,

Defendants.

1:20-cv-00779-JLT (PC)

ORDER TO ASSIGN DISTRICT JUDGE;

**FINDINGS AND RECOMMENDATIONS
TO DISMISS FOR FAILURE TO
RESPOND TO COURT ORDER AND
FAILURE TO PROSECUTE**

FOURTEEN-DAY DEADLINE

By order filed January 15, 2021, plaintiff was directed to submit an application to proceed in forma pauperis or to pay the filing fee in full. The deadline to respond to the court order has now passed, and plaintiff has not responded or sought of extension of time to do so. Accordingly, the Court ORDERS that a district judge be assigned to this case; and

The Court RECOMMENDS that this action be dismissed without prejudice for failure to comply with a court order and failure to prosecute. See Local Rule 110; Fed. R. Civ. P. 41(b).

These findings and recommendations are submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days after being served with these findings and recommendations, plaintiff may file written objections with the court and serve a copy on all parties. Such a document should be captioned “Objections to Magistrate Judge’s Findings and Recommendations.” Plaintiff is advised that failure to file

1 objections within the specified time may waive the right to appeal the District Court's order.

2 Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

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4 IT IS SO ORDERED.

5 Dated: March 15, 2021

6 /s/ Jennifer L. Thurston

7 UNITED STATES MAGISTRATE JUDGE

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